

Atty. Dkt. No. 035451-0166 (3704.Palm.SG)

#### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

#### DETAILED ACTION

In section 4 of the Office Action, the Examiner rejected claims 1, 2, 5-7, 10-14, 16-25 under 35 U.S.C. 102 (b) as being anticipated by Teicher et al. (U.S. Pat. No. 5,933,813). The Examiner stated:

As per claims 1, 6, 7, 10, 16, 17, 18, 21, 23, 24 and 25 Teicher discloses a data processor system for promoting sales of products includes price storage devices for storing basic price information; criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices (which is seen to read as Applicant's claimed invention wherein it is stated that a system for selling or pricing a risk-based product related to an object), the system comprising:

a data collection system configured to collect data relating to the product, including object location (see., abstract, lines 1-10, specifically wherein it is stated that a data processor for promoting sales of products includes price storage devices for storing basic price information, please note that the basic price information also includes the basic price of the products, Applicant should duly note that product is interpreted as an object);

a pricing system in electronic communication with the data collection system, the pricing system configured to at least one of sell and price the product, based on the object location data (see., abstract, specifically wherein it is stated that a data processor for promoting sales of products includes price storage devices for storing basic price information; criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices. Applicant should duly note that the basic price information also includes sell and basic price of the products and the product location, and also col 1, lines 36-50, col 2, lines 16-34, col 3, lines 52-67, col 4, lines 1-28).

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As per claims 2, 12, 13, 14, 20, 22, Teicher discloses the claimed limitation, wherein the price system is in electronic communication with the data collection system via wireless transmitter (see., fig 8, col 6, lines 45-5 1).

As per claims 5, 11, 19, Teicher discloses the claimed limitation, wherein the data relating to the product is data relating to at least one selected operational parameter, temperature, humidity, hours of operation, and time between service (see., abstract, lines 1-4, specifically wherein it is stated that criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices, please note that the predetermined criteria is seen to read as the operational parameter, col 6, lines 28-44).

Claim 1

With regard to independent claim 1, Teicher et al. does not disclose, teach, or suggest a system for selling or pricing a risk-based product related to an object. Teicher et al. discloses only a system for selling products. The Examiner has interpreted "products" to mean the same as "objects." Applicants' system of claim 1 does not relate to a system for selling or pricing an object, rather Applicants' recited system is for selling a risk-based product that is related to an object. For example, as disclosed in the Application, such a risk-based product may be an insurance policy or insurance protection. Accordingly, the idea is that if the object which is being insured is moved to a different location, the price or sale of an insurance policy or insurance protection, i.e., a risk-based product, may be changed in accordance with the location. Perhaps the location is a dangerous location or a high-risk location because of certain conditions, for example, crime statistics, environmental conditions, etc. The price of the insurance policy could then be adjusted in accordance with the risk. The price may be provided through an actuarial table or other means.

Further, Teicher et al. does not disclose, teach, or suggest a "pricing system configured to at least one of sell and price the risk-based product, based on the object location data." Teicher et al. discloses only a system for setting sale prices of products in a sales outlet based on criteria such as sales volumes, current inventory, and category of

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purchasers. Location of the product is not used to set the price of a risk-based product (such as an insurance policy) based on the given location of the object that is being insured or the object with which the risk-based product is associated.

Accordingly, all of the elements of independent claim 1 are not disclosed, taught, or suggested by Teicher et al., and therefore, claim 1 is not anticipated by Teicher et al. Thus, claim 1 and its dependents are allowable.

**Claim 10**

With regard to independent claim 10, Teicher et al. does not disclose, teach, or suggest a method of calculating a price associated with a risk protection product. Teicher et al. discloses only a system for selling products. The Examiner has interpreted "products" to mean the same as "objects." Applicants' method of claim 10 does not relate to a system for selling or pricing an object, rather Applicants' recited method is for calculating a price of a risk protection product. For example, as disclosed in the Application, such a risk-protection product may be an insurance policy. Accordingly, the idea is that if the object which is being insured is moved to a different location, the price or sale of an insurance policy, i.e., a risk-based product, may be changed in accordance with the location, as similarly described with respect to claim 1.

Further, Teicher et al. does not disclose, teach, or suggest "receiving data related to a subject that is associated with the risk protection product, the data received from a remote location and the data including location data." Teicher et al. discloses only a system for setting sale prices of products in a sales outlet based on criteria such as sales volumes, current inventory, and category of purchasers. Location of the product is not used to set the price of a risk-based product (such as an insurance policy) based on the given location of the subject that is being insured or the object which the risk-based product is associated.

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Accordingly, all of the elements of independent claim 10 are not disclosed, taught, or suggested by Teicher et al., and therefore, claim 10 is not anticipated by Teicher et al. Thus, claim 10 and its dependents are allowable.

Claim 16

With regard to independent claim 16, Teicher et al. does not disclose, teach, or suggest a method for monitoring a product warranty relating to a product. Teicher et al. discloses only a system for selling products. The Examiner has interpreted "products" to mean the same as "objects." Applicants' method of claim 16 does not relate to a system for selling or pricing an object, rather Applicants' recited method is for monitoring a product warranty related to a product.

Further, Teicher et al. does not disclose, teach, or suggest "monitoring operational data", "recording the operational data", or "comparing the operational data to at least one operational specification relating to the product." Teicher et al. discloses only a system for setting sale prices of products in a sales outlet based on criteria such as sales volumes, current inventory, and category of purchasers. A product warranty is not a subject of Teicher et al. and is not disclosed therein.

Accordingly, all of the elements of independent claim 16 are not disclosed, taught, or suggested by Teicher et al., and therefore, claim 16 is not anticipated by Teicher et al. Thus, claim 16 and its dependents are allowable.

Claim 18

With regard to independent claim 18, Teicher et al. does not disclose, teach, or suggest a method for pricing a product where the product is at least one of an insurance policy, an insurance premium, an insurance price, and a warranty price. Teicher et al. discloses only a system for selling products. The Examiner has interpreted "products" to mean the same as "objects." Applicants' method of claim 18 does not relate to a system for selling or pricing an object, rather Applicants' recited method is for pricing a product

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that is an insurance policy, an insurance premium, an insurance price, and a warranty price.

Accordingly, all of the elements of independent claim 18 are not disclosed, taught, or suggested by Teicher et al., and therefore, claim 18 is not anticipated by Teicher et al. Thus, claim 18 and its dependents are allowable.

**Claim 24**

With regard to independent claim 24, Teicher et al. does not disclose, teach, or suggest a processing system in which correlated data is generated by correlating received data to actuarial data. Teicher et al. discloses only a system for selling products. Applicants' system of claim 24 does not relate to a system for selling or pricing an object, rather Applicants' recited system is for generating a price from actuarial correlated data based on periodically received data relating to a product.

Accordingly, all of the elements of independent claim 24 are not disclosed, taught, or suggested by Teicher et al., therefore claim 24 is not anticipated by Teicher et al., and is, therefore, allowable.

**Claim 25**

With regard to independent claim 25, Teicher et al. does not disclose, teach, or suggest a processing system for comparing received data relating to an object and operational specification data relating to a warranty. Teicher et al. discloses only a system for selling products. Applicants' system of claim 25 does not relate to a processing system for comparing received and operational specification data.

Accordingly, all of the elements of independent claim 25 are not disclosed, taught, or suggested by Teicher et al., therefore claim 25 is not anticipated by Teicher et al. and is, therefore, allowable.

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Claim Rejections -35 USC § 103

In section 6 of the Office Action, the Examiner rejected Claims 8, 9 and 15 under 35 U.S.C. 103 (a) as being unpatentable over Teicher et al. (U.S. pat. No. 5,933,813) in view of Von Kohorn (U.S. Pat. No. 5,227,874). The Examiner stated:

As per claim 8, 9 and 15, Teicher substantially discloses the claimed limitations as stated in claim 1 above. It is noted that Teicher does not explicitly disclose that the product is an insurance, a warranty, and security system. However, Von Kohorn discloses a method for the evaluation of stimuli such as broadcast commercials intended to promote purchases by shoppers. A prize-winning respondent can select a product from a listing and apply the value of a prize to the purchase price of the selected product. Wherein the term product also includes insurance, warranties, and security (see., Von Kohorn, abstract, col 47, lines 1-9, col 97, lines 64-68, col 98, lines 1-64, col 101, lines 13-19). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Teicher by including the limitations detailed above taught by Von Kohorn because it is a routine business practice to provide insurance and warranty for a product.

Claims 8 and 9 depend from claim 1 and claim 15 depends from claim 10. Accordingly, because independent claims 1 and 10 are not anticipated by Teicher et al. and are, therefore, believed to be allowable, claims 8, 9, and 15 are also believed to be allowable as being dependent upon an allowable base claim.

After amending the claims as set forth above, claims 1-2, 5-22, and 24-25 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

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The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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